



HISTORIC LANDMARKS COMMISSION HEARING AGENDA

Study Session

Distinctive Neighborhood Program
4:45 p.m. – Room T-331

WEDNESDAY, NOVEMBER 5, 2008

**Regular Session
6:00 P.M.**

Council Wing, Rooms W-118 & W-119
200 East Santa Clara Street
San José, CA

COMMISSION MEMBERS

EDWARD JANKE, AIA, CHAIR
PATRICIA COLOMBE, VICE CHAIR
STEVEN COHEN HEATHER JACKSON HELENE LAVELLE
DANA PEAK ERIC THACKER

JOSEPH HORWEDEL, DIRECTOR
DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT

Note

To request an accommodation for City-sponsored meetings or events or an alternative format for printed materials, please call Carmen Stanley at 408-535-7856 or 408-294-9337 (TTY) as soon as possible, but at least three business days before any meeting or event. If you requested such an accommodation, please identify yourself to the technician seated at the staff table. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good evening, my name is **Ed Janke**, and I am the Chair of the Historic Landmarks Commission. On behalf of the Commission, I would like to welcome you to tonight's meeting. I will now call to order the **November 5, 2008** meeting of the Historic Landmarks Commission. Please remember to turn off your cell phones and pagers.

If you want to address the Commission, **fill out a speaker card (located at the technician's station), and give the completed card to the technician. Please include the agenda item number for reference.**

The procedure for public hearings is as follows:

- After the staff report, *applicants may make a five-minute presentation.*
- Anyone wishing to speak in favor of the proposal should prepare to come forward. After the proponents speak, anyone wishing to speak in opposition should prepare to come forward. *Each speaker will have two minutes.*
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Commission will then close the public hearing.
- *The Historic Landmarks Commission will take action on the item.*

The procedure for referrals is as follows:

- Anyone wishing to speak on a referral should prepare to come forward. *Each speaker will have two minutes.*
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- *The Historic Landmarks Commission will comment on the referral item.*

If a Commissioner would like a topic to be addressed under one of the Good and Welfare items, please contact Planning staff in advance of the Commission meeting.

An agenda and a copy of all staff reports have been placed on the table for your convenience. All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Planning, Building and Code Enforcement at San José City Hall, 200 E. Santa Clara Street, 3rd Floor Tower, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

AGENDA
ORDER OF BUSINESS
6:00 P.M. SESSION

ROLL CALL

1. DEFERRALS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

- a. Historic Preservation Permit (HP08-006) Historic Preservation Permit to allow improvements to the west side of St. James Park and installaion of pedestrian lighting at the perimeter of the east side of the park on a 7.0 gross-acre site located in the St. James Square Historic Landmark District. (City of San José, Owner). Council District 3. SNI Area: None. CEQA: Exempt. *Project Manager, Hadasa Lev.*

Staff Recommendation: Defer to 12/3/08

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Historic Landmarks Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please make your request at this time.

The Consent Calendar is now closed.

3. PUBLIC HEARINGS

HISTORIC PRESERVATION PERMITS

- a. [HP08-005](#). Historic Preservation Permit to allow the remodeling, including exterior changes, of an existing multi-family residential building in conjunction with a Site Development Permit to establish the legal use as a 2-unit residential building in the Reed City Landmark Historic District on a 0.13 gross acre site, in the R-M Multiple Residence Zoning District, located on the west side S. 7th St., ~70 feet north of E. William St. (491 S 7TH ST) (Lu Tan Sung and Du Anh Kim, Owner). Council District 3. SNI: University. CEQA: Exempt. *Project Manager, Ella Samonsky.*

STAFF RECOMMENDATION: Historic Landmarks Commission find that the proposed work conforms to the Secretary of the Interior's Standards and recommend approval to the Director of Planning.

HISTORIC LANDMARK DESIGNATIONS/HISTORICAL PROPERTY CONTRACTS

- b. The applications being considered are for the "Ames House" on a 0.16-acre site located at the east side N. Fifteenth Street, approximately 90 feet south of E St James Street (186 N. Fifteenth Street). Hullene and Marcus Salomon, property owner. Council District 3. SNI: 13th Street. CEQA: Exempt. Deferred from 10/1/08. *Project Manager, Lori Moniz.*

- 1) [HL08-172](#). Historical Landmark Nomination for the subject property as a landmark of special historic, architectural, cultural, aesthetic or engineering interest, or value of a historic nature. Continued From 10/1/08

STAFF RECOMMENDATION: Historic Landmarks Commission recommend initiation of the City Landmark Designation to the City Council.

- 2) [MA08-004](#). Historical Property Contract (California Mills Act contract) between the City of San José and the owners of the subject property. The proposed contract, which is available to owners of designated City Landmark buildings, would facilitate a property tax reassessment and partial tax relief in return for a binding agreement to rehabilitate and maintain the historical and architectural character of the property for at least a ten-year period. Continued From 10/1/08

STAFF RECOMMENDATION: Historic Landmarks Commission recommend initiation of the City Landmark Designation to the City Council.

- c. The applications being considered are for the "Hobson House" on a 0.146-acre site located at the westerly side of N. Fifteenth Street, approximately 250 feet north of E. Julian Street (333 N. Fifteenth Street). René T. and Claudia Correa, property owner. Council District 3. SNI: None. CEQA: Exempt. Deferred from 10/1/08. *Project Manager, Lori Moniz*

- 1) [HL08-173](#). Historical Landmark Nomination for the subject property as a landmark of special historic, architectural, cultural, aesthetic or engineering interest, or value of a historic nature.

STAFF RECOMMENDATION: Historic Landmarks Commission recommend initiation of the City Landmark Designation to the City Council.

- 2) [MA08-005](#). Historical Property Contract (California Mills Act contract) between the City of San José and the owners of the subject property. The proposed contract, which is available to owners of designated City Landmark buildings, would facilitate a property tax reassessment and partial tax relief in return for a binding agreement to rehabilitate and maintain the historical and architectural character of the property for at least a ten-year period.

STAFF RECOMMENDATION: Historic Landmarks Commission to recommend the City Council make the required findings and approve the Historical Property Contract.

- d. The applications being considered are for the "Renzel House" on a 0.70-acre site located at the northeast side of Arroyo Way, approximately 250 feet east of S. Seventeenth Street (120 Arroyo Way). Donald Lieberman and Patricia A. Long Trustee & Et Al, property owner. Council District 3. SNI: University. CEQA: Exempt. *Project Manager, Lori Moniz*

- 1) [HL08-174](#). Historical Landmark Nomination for the subject property as a landmark of special historic, architectural, cultural, aesthetic or engineering interest, or value of a historic nature.

STAFF RECOMMENDATION: Historic Landmarks Commission recommend initiation of the City Landmark Designation to the City Council.

- 2) [MA08-006](#). Historical Property Contract (California Mills Act contract) between the City of San José and the owners of the subject property. The proposed contract, which is available to owners of designated City Landmark buildings, would facilitate a property tax reassessment and partial tax relief in return for a binding agreement to rehabilitate and maintain the historical and architectural character of the property for at least a ten-year period.

STAFF RECOMMENDATION: Historic Landmarks Commission to recommend the City Council make the required findings and approve the Historical Property Contract.

- e. The applications being considered are for the "Somers House" on a 0.143-acre site in the Reed City Landmark Historic District located at the west side of S. Sixth Street, approximately 420 feet southerly of E. Reed Street (675 S. Sixth Street). Jason K. Rowan and Batsirai M. Mutasa, property owner. Council District 3. SNI: University. CEQA: Exempt. *Project Manager, Lori Moniz*

- 1) [HL08-175](#). Historical Landmark Nomination for the subject property as a landmark of special historic, architectural, cultural, aesthetic or engineering interest, or value of a historic nature.

STAFF RECOMMENDATION: Historic Landmarks Commission recommend initiation of the City Landmark Designation to the City Council.

- 2) [MA08-007](#). Historical Property Contract (California Mills Act contract) between the City of San José and the owners of the subject property. The proposed contract, which is available to owners of designated City Landmark buildings, would facilitate a property tax reassessment and partial tax relief in return for a binding agreement to rehabilitate and maintain the historical and architectural character of the property for at least a ten-year period.

STAFF RECOMMENDATION: Historic Landmarks Commission to recommend the City Council make the required findings and approve the Historical Property Contract.

4. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

REDEVELOPMENT AGENCY

DIRECTOR OF PLANNING

Historic Resources Inventory Maintenance

December, March, June, and September Quarterly Reports

Environmental Review

- a. [GP08-08-05](#). Negative Declaration for a proposed General Plan amendment request to change the General Plan land use designation from Low Density Residential (up to 5 dwelling units per acre) to Office on a .69-acre portion of a 2.98-acre parcel located on the west side of San Felipe Road 600 feet south of Delta Road (4203 SAN FELIPE RD). The General Plan amendment is for a land use change only. There is no development application on file at this time. The preliminary plans for a future development could include the demolition of the existing single-family residence built in 1926 and identified as qualified for listing on the City of San José Historic Resources Inventory as a Structure of Merit (Hawkstone San Felipe, LLC, Owner/Reyad Katwan, Hawkstone, LLC Applicant). Council District 8. SNI: None. CEQA: Negative Declaration circulated 10/28/08. *Project Manager, Rachel Roberts*

Staff Recommendation: Historic Landmarks Commission to provide comment to the Director of Planning, Building and Code Enforcement on the Cultural Resources section of the Initial Study.

5. PETITIONS AND COMMUNICATIONS

Public comments to the Historic Landmarks Commission on non-agendized items. Each member of the public may address the Commission for up to two minutes. The Commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Historic Landmarks Commission is limited to the following options:

- Responding to statements made or questions posed by members of the public; or
- Requesting city staff to report back on a matter at a subsequent meeting; or
- Requesting planning staff to place an item on a future agenda or
- Placing an item on the HLC work plan

- a. [Preservation Action Council of San José \(PAC SJ\) Correspondence re: 4146 Mitzi Drive](#)

6. GOOD AND WELFARE

- a. Report from Secretary, Planning Commission, and City Council

- (1) [Commission Adoption of 2008-09 HLC Workplan. Deferred from October 1, 2008.](#)
- (2) Historic Project Celebration, December 4, 2008 at 11:45 a.m., located at Fountain Alley.

- b. Commissioners' Report from Committees:

- (1) Design Review Subcommittee (Janke, Colombe and Cohen, Peak alternate) *Project Manager, Hadasa Lev.*

- (2) History San José Collections Committee (Jackson)

Committee meets generally at History San José on the 2nd Thursday of every 3rd month at 12 noon, on a rotating basis to accommodate members' schedules.

The next scheduled meeting is November 13, 2008 at 12 noon.

- (3) Japantown Survey Committee (Lavelle)
- (4) GP Update Task Force Progress Report (Colombe and Thacker)
- (5) Commission Bylaw Preparation and Presentation (Peak and Lavelle)
- (6) Pellier Park (Colombe)

- c. [Review of 10/1/08 HLC Synopsis](#)
- d. Status of Circulation of Environmental Review Documents
<http://www.sanjoseca.gov/planning/eir/>
- e. 2008 - 2009 Fiscal Year Study Session Dates and Topics
 - (1) February 6th – Planning Department Website Re-design
 - (2) March 5th – CEQA: How to Review an EIR
 - (3) April 2nd - Preservation in San José's Future
 - (4) June 4th – HLC Workplan Discussion
 - (5) November 5th – Distinctive Neighborhood Program
 - (6) February 6, 2009 - HLC Retreat

ADJOURNMENT

2008 HISTORIC LANDMARKS COMMISSION MEETING SCHEDULE

DATE	TIME	TYPE OF MEETING	LOCATION
January 9, 2008	12:00 p.m.	Design Review Subcommittee	Room T-550
February 6, 2008	6:00 p.m.	Regular Meeting	Room W118-119
February 20, 2008	12:00 p.m.	Design Review Subcommittee	Cancelled
March 5, 2008	6:00 p.m.	Regular Meeting	Room W118-119
March 19, 2008	12:00 p.m.	Design Review Subcommittee	Room T-550
April 2, 2008	6:00 p.m.	Regular Meeting	Room W118-119
April 16, 2008	12:00 p.m.	Design Review Subcommittee	Room T-550
May 7, 2008	6:00 p.m.	Regular Meeting	Room W118-119
May 21, 2008	12:00 p.m.	Design Review Subcommittee	Room T-550
June 4, 2008	6:00 p.m.	Regular Meeting	Room W118-119
June 18, 2008	12:00 p.m.	Design Review Subcommittee	Room T-550
August 6, 2008	6:00 p.m.	Regular Meeting	Room W118-119
August 20, 2008	12:00 p.m.	Design Review Subcommittee	Room T-550
September 3, 2008	6:00 p.m.	Regular Meeting	Room W118-119
September 17, 2008	12:00 p.m.	Design Review Subcommittee	Room T-550
October 1, 2008	6:00 p.m.	Regular Meeting	Room W118-119
October 15, 2008	12:00 p.m.	Design Review Subcommittee	Room T-222
<i>November 5, 2008</i>	<i>4:45 p.m.</i>	<i>Study Session</i> <i>Distinctive Neighborhood Program</i>	<i>Room T-331</i>
November 5, 2008	6:00 p.m.	Regular Meeting	Room W118-119
November 19, 2008	12:00 p.m.	Design Review Subcommittee	Room T-644
December 3, 2008	6:00 p.m.	Regular Meeting	Room W118-119
December 17, 2008	12:00 p.m.	Design Review Subcommittee	Room T-644
February 6, 2009	TBD	Annual Retreat	Room TBD

HISTORIC LANDMARKS AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/historic.asp>

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.